

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q78531

Tetsuya SANO

Appln. No.: 10/721,342

Group Art Unit: 2625

Confirmation No.: 9991

Examiner: Vincent M. Rudolph

Filed: November 26, 2003

For: IMPOSITION APPARATUS AND IMPOSITION PROGRAM STORAGE MEDIUM

DECLARATION UNDER 37 C.F.R. § 1.131

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Tetsuya Sano, hereby declare and state as follows:

1. I am the inventor named in the above-captioned U.S. Application No. 10/721,342, filed November 26, 2003, which claims priority from Japanese Application No. 2002-346004 and Japanese Application No. 2002-356533.

2. At the time I invented the instant invention, I was employed by FUJI PHOTO FILM CO., LTD, which is now known as FUJIFILM Corporation (hereafter "FUJI").

3. Prior to September 12, 2002, the U.S. filing date of U.S. Patent Application Publication No. 2003/0053096 to Kouji Nagata, the invention as described and claimed in the above referenced application was conceived by myself at FUJI, as evidenced by the following:

4. Exhibit A is a ten page disclosure, written by me prior to September 12, 2002, along with an English language translation of said disclosure. Exhibit B is also a ten page

disclosure, written by me prior to September 12, 2002, along with an English language translation of said disclosure. Exhibit A and Exhibit B include subject matter that supports at least claims 1-10 of the instant application. These claims of the present application are described at least in the following passages of the English translation documents in Exhibit A and Exhibit B (further support may also be found elsewhere in Exhibit A and Exhibit B):

Claim 1: Exhibit A: Pg. 2, sec. 5. Means to solve the problem
Exhibit B: Pg. 2, sec. 5. Means to solve the problem

Claim 2: Exhibit A: Pg. 2, sec. 5. Means to solve the problem
Exhibit B: Pg. 2, sec. 5. Means to solve the problem

Claim 3: Exhibit B: Pg. 2, sec. 7b. Unanticipated Effect of the Invention, sec. 8a.
Scope of Claims.

Claim 4: Exhibit A: Pg. 2, sec. 5. Means to solve the problem
Exhibit B: Pg. 2, sec. 5. Means to solve the problem

Claim 5: Exhibit A: Pg. 2, sec. 5. Means to solve the problem
Exhibit B: Pg. 2, sec. 5. Means to solve the problem

Claim 6: Exhibit B: Pg. 2, sec. 7b. Unanticipated Effect of the Invention, sec. 8a.
Scope of Claims.

Claim 7: Exhibit A: Pg. 4, FIG. 1 Imaginary Page Width
Exhibit B: Pg. 5, FIG. 1 Imaginary Page Width

Claim 8: Exhibit A: Pg. 4, FIG. 1 Imaginary Page Width
Exhibit B: Pg. 5, FIG. 1 Imaginary Page Width

Claim 9: Exhibit A: Pg. 4, FIG. 1 Imaginary Page Width
Exhibit B: Pg. 5, FIG. 1 Imaginary Page Width

Claim 10: Exhibit A: Pg. 4, FIG. 1 Imaginary Page Width
Exhibit B: Pg. 5, FIG. 1 Imaginary Page Width

5. At the time the subject matter of the present application was invented, it was common practice at FUJI to have its patent applications prepared and filed by persons not employed by FUJI, after an internal review of the invention's disclosure.

6. In the ordinary course of business, the preliminary disclosures was considered by FUJI, resulting in a request being sent to KOSUGI & YAMADA PATENT FIRM (now the "MINATO PATENT FIRM", hereafter "MINATO") of Tokyo, Japan, for preparation and filing of utility patent applications with the Japan Patent Office. The request was sent by Mr. Kiyotaka Kaneko, Department of Intellectual Property Chief Engineer, of FUJI. A copy of the above requests to MINATO, along with English language translations thereof, are attached as Exhibit C and Exhibit D respectively..

7. In the ordinary course of business and in due course, MINATO prepared draft utility applications, and forwarded the application to FUJI for inventor's review and approval. A copy of the draft applications, along with an English language translations, are attached as Exhibit E and Exhibit F respectively.

8. In the ordinary course of business and in due course, FUJI reviewed and approved the draft applications prepared by MINATO, and Japanese Patent Application Japanese Application No. 2002-346004 and Japanese Application No. 2002-356533 were filed on November 28, 2002 and December 9, 2002 respectively.

9. In view of the foregoing, it is clear that I, the named inventor of the above-captioned application, invented the subject matter of the claims prior to the September 12, 2002 U.S. filing date of U.S. Patent Application Publication No. 2003/0053096 to Nagata.

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I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: January 10, 2008

Tetsuya Sano
Tetsuya Sano